

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BEAUTYBANK, INC.,

Plaintiff,

-against-

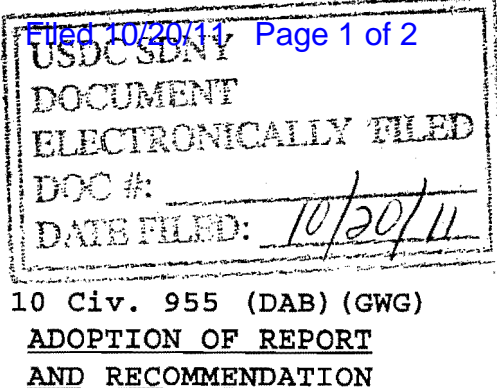
HARVEY PRINCE LLP, et al.,

Defendants.

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DEBORAH A. BATTIS, United States District Judge.

On May 10, 2011, this Court referred Plaintiff's Motion for Contempt to Magistrate Judge Gabriel W. Gorenstein and requested specific factual findings on whether Harvey Prince LLP exists and whether the injunction entered by this Court on October 12, 2010 against Harvey Prince LLP, could be enforced against Kumar Ramani as an officer of Harvey Prince LLP. On September 16, 2011, United States Magistrate Judge Gabriel W. Gorenstein filed a Report and Recommendation (the "Report") recommending that the Motion for Contempt be denied and finding that Plaintiff had failed to establish, either with actual evidence or judicial estoppel, that Harvey Prince LLP exists, and that Kumar Ramani cannot be subject to the prohibitions of the injunction against Harvey Prince LLP.

According to 28 U.S.C. § 636(b)(1)(C), "[w]ithin fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations." 28 U.S.C. § 636(b)(1)(C); see also Fed. R.



Civ. P. Rule 72(b)(2) (stating that "[w]ithin 14 days after being served with a copy of the recommended disposition, a party may serve and file specific, written objections to the proposed findings and recommendations"). Despite being advised accordingly in the Report, to date, no objections to the Report have been filed.

Having reviewed the Report, and finding no clear error on the face of the record, see 28 U.S.C. § 636(b)(1)(B), it is hereby

ORDERED AND ADJUDGED as follows:

1. The Report and Recommendation, Docket Entry No. 102, of United States Magistrate Judge Gabriel W. Gorenstein, dated September 16, 2011, be and the same hereby is APPROVED, ADOPTED, and RATIFIED by the Court in its entirety; and

2. Plaintiff's Motion for Sanctions and Contempt, Docket Entry No. 89, is DENIED.

SO ORDERED.

DATED: New York, New York

October 20, 2011

Deborah A. Batts

Deborah A. Batts
United States District